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JUL 14 2005

**HOWISON & ARNOTT, L.L.P.**  
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONSATTORNEYS AT LAW  
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Telephone (512) 328-3994CONFIRMATION SENT VIA FIRST CLASS MAIL  
YES \_\_\_ NO XNUMBER OF PAGES TO FOLLOW 22**FACSIMILE COVER SHEET**

**DATE:** July 14, 2005  
**TO:** Central Fax Filing/Fee Amendment (Douglas B. Blair 2142)  
**COMPANY:** USPTO  
**FAX NUMBER:** 703-872-9306  
**FROM:** Gregory M. Howison  
**OUR FILE:** PHL-24,767  
**SERIAL NO.:** 09/417,863  
**ATTACHED:** Transmittal (1); Fee Transmittal (1); Petition Extension (1);  
Amendment (18); Credit Card Form (1)

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**COMMENT:**

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|   |                        |                  |
|---|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 09/417,863       |
|   | Filing Date            | 10/13/1999       |
|   | First Named Inventor   | Philyaw et al.   |
|   | Art Unit               | 2142             |
|   | Examiner Name          | Douglas B. Blair |
|   | Attorney Docket Number | PHLY-24,767      |
| Total Number of Pages in This Submission  |                        |                  |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Credit Card Form (1). |
| Remarks   |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                       |          |        |
|--|-----------------------|----------|--------|
| Firm Name                                  | HOWISON & ARNOTT, LLP |          |        |
| Signature                                  |                       |          |        |
| Printed name                               | Gregory M. Howison    |          |        |
| Date                                       | 7/14/05               | Reg. No. | 30,646 |

| CERTIFICATE OF TRANSMISSION/MAILING   |                    |              |
|---|--------------------|--------------|
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| Signature   |                    |              |
| Typed or printed name   | Gregory M. Howison | Date 7/14/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SENT BY: HOWISON, & ARNO;

972 479 0464

JUL-14-05 3:29 PM 2005 PAGE 3

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 225.00

### Complete if Known

Application Number 09/417,883  
Filing Date October 13, 1999  
First Named Inventor Philyaw et al.  
Examiner Name Douglas B. Blair  
Art Unit 2142  
Attorney Docket No. PHL-24,767

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 20-0780/PHLY-24,767 Deposit Account Name: HOWISON & ARNOTT, L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

#### 2. EXCESS CLAIM FEES

| Fee Description  | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)                                | 50       | 25                    |
| Each independent claim over 3 (including Reissues)                     | 200      | 100                   |
| Multiple dependent claims  | 360      | 180                   |
| <b>Total Claims</b>  |          |                       |
| - 20 or HP =   | x        | =                     |
| HP = highest number of total claims paid for, if greater than 20.      |          |                       |
| <b>Indep. Claims</b>   |          |                       |
| - 3 or HP =  | x        | =                     |
| HP = highest number of independent claims paid for, if greater than 3. |          |                       |

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

#### 4. OTHER FEE(S)

Non-English Specification \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): Refusal Extension of Time (2 months) 225.00

#### SUBMITTED BY

Signature [Signature] Registration No. 30,646 Telephone 972-680-6050  
Name (Print/Type) Gregory M. Howison Date 7/14/05

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JUL 14 2005

PHLY-24,767

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan Philyaw and David Kent Mathews

Serial No.: 09/417,863

Filed: October 13, 1999

Group: 2142

Examiner: Douglas B. Blair

For: SOFTWARE DOWNLOADING USING A TELEVISION BROADCAST  
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P.O. Box 1450  
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Dear Sir:

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7/14/05  
(Date of Deposit)Gregory M. Howison  
(Name of Person Mailing Document)

(Signature)

7/14/05  
(Date of Signature)AMENDMENT

In response to the Office Action dated February 17, 2005, please amend the above-referenced patent application as follows:

A current list of the pending Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

AMENDMENT AND RESPONSE  
S/N 09/417,863  
Atty. Dkt. No. PHLY-24,767